

REMARKS

This is in response to the Office Action mailed August 8, 2006.

Claims 1 through 17 are currently pending in the application.

Claims 1 through 17 stand rejected.

Applicant has amended claims 1 and 10, and respectfully request reconsideration of the application as amended herein.

Double Patenting Rejection Based on U.S. Patent No. 6,730,995 and 6,538,311

Claims 1 through 17 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 through 17 of U.S. Patent 6,730,995, and claims 1, 3, 4, 5, 9, 12, 13, 16-18, 20, 22, 23, 29, 30, 33 and 34 of U.S. Patent 6,538,311.

Applicant appreciates the Examiner's response in the Office Action setting forth a showing as to the reasons for the obviousness-type double patenting rejection of claims 1 through 17 of the present application as being unpatentable over claims 1 through 17 of U.S. Patent 6,730,995, and claims 1, 3, 4, 5, 9, 12, 13, 16-18, 20, 22, 23, 29, 30, 33 and 34 of U.S. Patent 6,538,311.

Applicant asserts that no obviousness-type double patenting exists between claims 1 through 17 of the present application and claims 1 through 17 of U.S. Patent 6,730,995 and claims 1 through 34 of U.S. Patent 6,538,311 because presently amended independent claims 1 and 10 include claim limitations which are not obvious to one of ordinary skill in the art from any corresponding claims 1 through 17 of U.S. Patent 6,730,995 and claims 1 through 34 of U.S. Patent 6,538,311. Applicant asserts that the claimed inventions of presently amended independent claims 1 and 10 are unobvious from any corresponding claims 1 through 17 of U.S. Patent 6,730,995 and claims 1 through 34 of U.S. Patent 6,538,311 because the claim limitations of presently amended independent claims 1 and 10 are not set forth in such claims of such patents. Accordingly, Applicant asserts that claims 1 through 17 are allowable.

ENTRY OF AMENDMENTS

The amendments to claims 1 and 10 above should be entered by the Examiner because the amendments are supported by the as-filed specification and drawings and do not add any new matter to the application to clearly comply with the provisions of 35 U.S.C. § 132. Further, the amendments do not raise new issues or require a further search.

CONCLUSION

Claims 1 through 17 are believed to be in condition for allowance, and an early notice thereof is respectfully solicited. Should the Examiner determine that additional issues remain which might be resolved by a telephone conference, he is respectfully invited to contact Applicant's undersigned attorney.

Respectfully submitted,



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